



CITY OF LAUREL OFFICE OF THE MAYOR

Craig A. Moe
Mayor

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December 7, 2018

The Honorable Ajit V. Pai, Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, DC 20544

Dear Chairman Pai,

I am writing to express our concern about and disapproval of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*, MB Docket 05- 311.


As the Mayor of Laurel, Maryland, I have watched with pride as our PEG station, known as Laurel TV, has become the go to place for news about our community. Laurel TV covers so much more than just the government meetings. The programming includes a healthy lineup of locally produced shows, entertainment, and educational programs too.

Our elderly residents have really begun to rely on our PEG station for emergency alerts and information about the services we provide. This is also true of the growing numbers of younger families and millennials who are locating in Laurel. We are centrally located between Washington, DC and Baltimore., Maryland. Laurel TV is a great way for residents of all ages to engage with their neighbors and elected officials and stay on top of things happening in their communities.

This local presence was the intent of the PEG provisions of the 1984 Cable Act – to enhance local voices, serve local community needs and interests, and strengthen our local democracy. By defining “franchise fee” in an overly broad fashion to include “in-kind” support, the FCC’s proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels, – something that was never the intent of the Act.

We appreciate your consideration and hope you will protect PEG channels in our community and others by choosing not to adopt many of the proposals in the Further Notice.

Sincerely,



Craig A. Moe
Mayor

cc: The Honorable Michael O’Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of Section 621(a)(1) of the Cable)	MB Docket No. 05-311
Communications Policy Act of 1984 as Amended)	
by the Cable Television Consumer Protection and)	
Competition Act of 1992)	

COMMENTS OF THE CITY OF LAUREL, MD

The City of Laurel, Maryland appreciates the opportunity to file comments on the Second Further Notice and Proposed Rulemaking (“FNPRM”) in the above-referenced docket. Laurel, Maryland is a City of 26,000 residents, centrally located between Baltimore, Maryland and Washington DC. We operate a PEG channel known as Laurel TV. The majority of our programming is produced by local residents, and features stories and programs on events and topics of interest to our residents. There are about 9,000 cable subscribers in Laurel, MD and many of them also subscribe to the Laurel TV Official YouTube channel to watch shows and programs that originally air on Laurel TV.

We strongly oppose the tentative conclusion in the FNPRM that cable-related in-kind contributions, such as those that allow our programming to be viewed on the cable system, are franchise fees.

Laurel TV has undergone a complete overhaul, including revamping our studio and equipping it with high definition equipment. We’ve upgraded our on air graphic look and aggressively enhanced our programming to go well beyond just covering government meetings. Laurel TV has established relationships with documentary producers across the country, and tapped into numerous sources for domain free programming to enhance our on- air content. The

changes were so notable, Laurel TV applied for and became only the second municipality in Prince George's County, Maryland to be awarded a high definition channel. The quality of the picture and the content we are sending out has attracted thousands of new viewers to our public access channel. Many of commented that they cannot tell the difference between Laurel TV and the commercial channel on the dial.

Any action that would reduce the franchise fees the City of Laurel takes in to operate Laurel TV would devastate our ability to provide quality programming and make the equipment upgrades necessary to attract and retain viewers. Using fair market value to determine the amount to be considered a franchise fee will lead to arbitrary deductions and threaten the types of programming only Laurel TV currently provides for our residents. Local stories about community events in Laurel often don't get covered by stations in the nearby larger television markets of Baltimore, MD and Washington, DC. Our locally produced health show, finance report, entertainment shows, and news stories on community events and government programs would be threatened

We reject the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority (LFA) or a third-party PEG provider, rather than for the public or the cable consumer. As demonstrated above, Laurel TV provides valuable local programming that is not otherwise available on the cable system or in other modes of video delivery such as satellite. Yet the Commission tentatively concludes that non-capital PEG requirements should be considered franchise fees because they are, in essence, taxes imposed for the benefit of LFAs or their designated PEG providers. By contrast, the FNPRM tentatively concludes that build-out requirements are not franchise fees because they are not contributions to the franchising authority. The FNPRM then requests comment on "other requirements besides build-out obligations that are not specifically for the use or benefit of the LFA or an entity designated the LFA and therefore

should not be considered contributions to an LFA.”¹ PEG programming fits squarely into the category of benefits that do not accrue to the LFA or its designated access provider, yet the Commission concludes without any discussion of the public benefits of local programming that non-capital PEG-related provisions benefit the LFA or its designee rather than the public at large.

We invite the Commission to view for themselves the important benefits provided by local content in PEG programming. The link below is to a video of a locally produced program airing on Laurel TV that is produced in partnership with the Maryland University of Integrative Health. It’s a monthly program that tackles various health issues that affect the people of Laurel like diabetes, the fourth leading cause of death here. Here is a link to a recent episode which tackles mental health—a topic that local communities can certainly benefit from in this day and age.

https://www.youtube.com/watch?v=C_aYXcqCKSE&t=122s This type of programming would virtually disappear if our PEG station isn’t protected.

We appreciate the opportunity to add to the record in this proceeding.

Respectfully submitted,
Craig A. Moe
Laurel Mayor

8103 Sandy Spring Road
Laurel, MD. 20707
November 14, 2018

¹ FNPRM ¶ 21.